

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON EDUCATION

Call to Order: By **CHAIRMAN GAY ANN MASOLO**, on January 8, 2001 at 3:00 P.M., in Room 137B Capitol.

ROLL CALL

Members Present:

Rep. Gay Ann Masolo, Chairman (R)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Bob Lawson, Vice Chairman (R)
Rep. Norma Bixby (D)
Rep. Gary Branae (D)
Rep. Nancy Fritz (D)
Rep. Verdell Jackson (R)
Rep. Hal Jacobson (D)
Rep. Larry Lehman (R)
Rep. Jeff Mangan (D)
Rep. Joe McKenney (R)
Rep. John Musgrove (D)
Rep. Alan Olson (R)
Rep. Ken Peterson (R)
Rep. Butch Waddill (R)
Rep. Allan Walters (R)
Rep. Merlin Wolery (R)

Members Excused: Rep. Joan Andersen (R)

Members Absent: None.

Staff Present: Connie Erickson, Legislative Branch
Nina Roatch, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 32, 1/8/2001
Executive Action:

HEARING ON HB 32

Sponsor: REPRESENTATIVE BOB LAWSON HD 80, Whitefish

Proponents: Dave Fern, Montana School Board Association
Whitefish School Trustees

Harry Amend, Superintendent of Schools in Kalispell
Teri Palmer, Kalispel School District #5
REPRESENTATIVE JUNEAU HD 85
Teresa Cowan, Future Teens Advocate, Missoula
Samantha Johnson, Future Teens Advocate, Missoula
Jerry House, Superintendent of Whitefish School
Loran Frazier, School Administrators of Montana
Bob Vogel, Montana School Board Association
Dave Puyear, Montana Rural Education Association
Erik Feaver, MEA-MFT
Bill Cooper, OPI

Opponents: None

Opening Statement by Sponsor:

(Tape : 1; Side : A; Approx. Time Counter : 3:07)

REPRESENTATIVE BOB LAWSON, HD 80, Whitefish, asked the gathering to look at the definition of student found on page 2 of HB32. "Pupil" means a child who is assigned and admitted under the provision of 20-5-101". He then directed their attention to page 3, lines 20 - 22 where it says, "The trustees shall assign and admit a child to a school in the district when the child is: (a) 6 years of age or older on or before September 10 of the year in which the child is to enroll but is not yet 19 years of age." This is current law. **REPRESENTATIVE LAWSON** then directed their attention to page 4, line 12 to read how ANB is calculated in the school system. He asked the committee to note that he has not had time to sign the fiscal note for the bill. He had not received it in time to feel comfortable with where the money would come from to fund the bill. There are lots of reasons why students do not finish high school. They might want their freedom, are youth offenders, abused, are under achievers, etc. A dropout student earns 40% of the average wage of a high school graduate. One half of dropouts or more, are on public assistance. Schools need to know why they drop out. Parents, mentors and students need to know why.

Proponents' Testimony:

(Tape : 1; Side : A; Approx. Time Counter : 3:12)

Dave Fern, School Board Association, submitted written testimony.
EXHIBIT (edh05b01)

(Tape : 1; Side : A; Approx. Time Counter: 3:15)

Teri Palmer, Kalispell School District # 5 told the committee that the idea of alternate programs is basically new in education. Her program is located in a basement of a county building. They serve 36 students, three hours a day, 12 hours a week and require 13 hours of homework.

(Tape 1; Side : A; Approx. Time Counter : 3:23)

REPRESENTATIVE JUNEAU represents **HD 85** which includes the Blackfoot Indian Reservation. She introduced students from Browning High School who had toured the Historical Museum and Capital and then she had invited them to visit the House Education Committee hearing of HB32. She thanked the students' teachers and sponsors for taking time to bring the students to Helena. She said HB32 is appropriate and she stands in support of it. She has been an advocate for many years of an alternative program for dropout students. Indian students have an exceptionally high dropout rate. In 1995 a freshman class started school in Browning numbering 840. She tracked them through their years in high school. As seniors, they graduated 341 students. This means that 56% of the original freshman class did not finish high school. This is true on all Indian reservations in Montana and in schools with Indian students enrolled. It is true in Great Falls, where they have the second highest enrollment of Indian students in the state. She urged the committee to give HB32 a do pass.

Teresa Cowan, Teen Parents/Futures, submitted written testimony. **EXHIBIT (edh05b02)**

Samantha Johnson, Teen Parents/Futures, submitted written testimony. **EXHIBIT (edh05b03)**

Jerry House, Superintendent of Whitefish School District said that they notice that students start dropping out of school in the 6th and 7th grades. When a 16 or 17 year old wants to return to school for a diploma, he doesn't want to come back to the traditional school. One reason being, Montana or the local school districts require a certain number of credits to graduate. A student can't get those credits in a short time and graduate with his class. Therefore, the student won't come back. Students can't come back and feel part of the program so they need an alternative setting, a non-traditional setting to bring them back into our school systems. For example, they have a non-traditional a.m. program in Whitefish. They have the facility space for it and every school in Montana has such space. They give the students a second chance to achieve a GED or High School Diploma. Students need a second chance in academic and vocational training. Knowing that the budgets are stretch,

schools still must give them this opportunity. Schools will be giving the Public Assistance program relief by this action. In a similar program that **Mr. House** was part of in the state of Washington, 145 students out of 160 retrievable students were successful, graduating with a GED and/or a diploma.

Loran Frazier, School Administrators of Montana, wished to emphasize that this will be at the discretion of the local school boards. This bill allows a choice and not a mandate. SAM also supports the friendly amendment that will be offered.

Bob Vogel, Montana School Board Association, said this is a very important issue. Written testimony was offered.

EXHIBIT (edh05b04)

(Tape : 1; Side : A; Approx. Time Counter : 3:37)

Dave Puyear, Montana Rural Education Association, said his organization represents rural schools in class B and C in Montana. **MREA** is very interested in the friendly amendment. They have some concern about the ages 21 and 22. They would like to see the age backed off to cover 19 and 20 year olds. In rural areas lots of students have left the area by the time they are 21 or 22. Rural schools have a different philosophical difference with that age group. By the time they reach 21 or 22, they need a different kind of program than offered in K-12. This kind of amendment would save money.

Eric Feavek, MEA-MFT, MEA-MFT is in support of this bill.

Bill Cooper, Office of Public Instruction, OPI is in support of this bill with or without the amendment.

(Tape 1: Side : A; Approx. Time Counter : 3:38)

Opponents' Testimony: None

Questions from Committee Members and Responses:

REPRESENTATIVE MANGAN said the bill seems like an excellent idea. He asked why the fiscal note was not signed. **REPRESENTATIVE LAWSON** said he did not have a problem with the fiscal note. He didn't know where the money was going to be found.

REPRESENTATIVE MANGAN replied, we are looking at \$700,000, to deal with a similar number of people compared to the \$4,000,000 spent on Project Challenge in Dillon. I think the money is out there. I hope we do not try to cut it down. We need to set our priorities straight.

REPRESENTATIVE PETERSON directed a question to **REPRESENTATIVE LAWSON**. It seems to me that what the bill is doing is changing the age for ANB, so my question is, how do these people get into this system. Is it earmarked for school so that a school will have to create a program? How will dropouts be encouraged to get into the program? **REPRESENTATIVE LAWSON** replied, it is not mandatory, the key is that school districts have the discretion to set the limits. School districts will have the discretion to change the age limit. The language I refer back to is "trustees may at their discretion," so they could or could not expand the present situation. I do not want to detract from local control, responsibility or local authority. If the school district decided that this is what they want to do, it would call upon them to publicize to retrieve the students they would be dealing with. **REPRESENTATIVE PETERSON** asked **REPRESENTATIVE LAWSON** what he would envision as a program to retrieve such students, if their trustees should decide to use such a program. **REPRESENTATIVE LAWSON** said that as a former school counselor this would give him another tool to deal with a student who is older or thinking of dropping out of school.

REPRESENTATIVE OLSON asked **REPRESENTATIVE LAWSON**, Looking at the fiscal note, how does that compare with the savings realized in the drop in enrollment the past two years? **REPRESENTATIVE LAWSON** said that certainly is one of the things he is hinging the funding for the bill on at this time. **REPRESENTATIVE LAWSON** referred this question to **Mr. Vogel** from **Montana School Board Association**. He referred the committee to his written testimony, grades 9 - 12 ANB fell from 51,046 in FY 2002 to 50,795 in FY2003, a decline of 251 students. This bill would increase high school ANB by .45% - or about 229 ANB for FY 2003. This bill would not require additional revenue over current levels. It would only minimize the dollars reverting to the general fund due to declining high school enrollments.

REPRESENTATIVE LEHMAN asked **Mr. Cooper, of OPI**, if my understanding of current school law is correct, a school district and board of trustees have the option of allowing anyone, regardless of age to attend their school. **Mr. Cooper** answered, I am not sure there is an age limit, but over the age of 21, the school district can develop programs for those older students. This bill would allow them to get the ANB to help support the program. **REPRESENTATIVE LEHMAN**, I am currently looking at 20-5-101 and it says that "The trustees may at their discretion assign and admit a child to a school in the district who is under 6 years of age or an adult who is 19 years of age or older, if there are exceptional circumstances that merit waiving the age provision of this section." Basically the proponents of this bill are saying that there are exceptional circumstances as to

why these particular people are not in high school. So basically this bill is requesting funds for these students. **Mr. Cooper** agreed.

Closing by Sponsor:

(Tape : 1; Side : A; Approx. Time Counter: 3:46)

REPRESENTATIVE LAWSON, said he wanted to stress that funding is the issue with this bill. On page 2 we are deleting the language "For purposes of calculating the average number belonging pursuant to 20-9-311, the definition of pupil includes a person who has not yet reached 20 years of age. That's the part we are attempting to change. **MADAM CHAIR**, I encourage passage of this bill during executive session and prior to an executive session we will work on the friendly amendment that was purposed today. That brings the entire group into support. Again, we are dealing with local control, local responsibility, authority, we're dealing with flexibility and we're dealing with pay now or pay more later. The benefits as I see them are: ANB dollars invested in increasing the number of high school graduates would be a major increase in saving the tax payers money ultimately. With a high school diploma and future training, the students may look to increasing their earning power. Tax dollars spent for public assistance and even correctional institutions may be decreased. As **REPRESENTATIVE JUNUEA** pointed out, providing a better trained work force is one key in economic development in local communities. I see economic development and education just like that. This will allow, not require, the school districts to offer an education to children ages 19 - 21 who have not yet received a high school diploma. It is important to note that these older students would not necessarily be enrolled in a regular high school program but could be in an alternative program. I see it as bringing education and economic development together and this is a paying proposition.

ADJOURNMENT

Adjournment: 3:51 P.M.

REP. GAY ANN MASOLO, Chairman

NINA ROATCH, Secretary

GM/NR

EXHIBIT (edh05bad)